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*Anne Vachon Dougherty* 3/18/03  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of : March 18, 2003  
J. P. Brezin, et al : Group Art No.: 2172  
Serial No. 09/282,860 : Examiner: J. Fluering  
Filed: March 31, 1999 : for IBM Corporation  
Anne Vachon Dougherty  
Title: OPTIMIZATION OF SYSTEM 3173 Cedar Road  
PERFORMANCE BASED ON Yorktown Heights, NY 10598  
COMMUNICATION RELATIONSHIP

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Technology Center 2100

NOTICE OF APPEAL TO THE BOARD OF PATENT  
APPEALS AND INTERFERENCES

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision dated December 18, 2002 wherein the Primary Examiner finally rejecting Claims 1-6, 11, 23-24, 26-31, and 37-41 in the above-identified patent application.

Authorization is hereby given to charge Deposit Account 50-0510 in the amount of \$320.00, for filing a Notice of Appeal in accordance with 37 CFR 1.17(e).

YO999-121

1

The Commissioner is hereby authorized to charge any required additional fee, and charge back any overpayment, to Deposit Account No. 50-0510. A duplicate copy of this document is enclosed.

Respectfully submitted,  
J.P. Brezin, et al

By: Anne Vachon Dougherty  
Anne Vachon Dougherty  
Attorney for Applicant  
Reg. No. 30,374